

NIRO, HALLER & NIRO

DEAN D. NIRO (Admitted *pro hac vice*)

dniro@nshn.com

DAVID J. MAHALEK (Admitted *pro hac vice*)

mahalek@nshn.com

ROBERT A. CONLEY (Admitted *pro hac vice*)

rconley@nshn.com

181 West Madison, Suite 4600

Chicago, IL 60602-4515

Telephone: 312-236-0733

Facsimile: 312-236-3137

Attorneys for Plaintiff

BLUESTONE INNOVATIONS LLC

DURIE TANGRI LLP

DARALYN J. DURIE (SBN 169825)

ddurie@durietangri.com

SONALI D. MAITRA (SBN 254896)

smaitra@durietangri.com

217 Leidesdorff Street

San Francisco, CA 94111

Telephone: 415-362-6666

Facsimile: 415-236-6300

Attorneys for Defendants and Counter-Plaintiffs

NICHIA CORP. and NICHIA AMERICA CORP.

Additional counsel listed on signature page

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

BLUESTONE INNOVATIONS LLC,

Plaintiff,

v.

NICHIA CORPORATION and
NICHIA AMERICA CORPORATION,

Defendants.

Case No. 3: 12-cv-00059-SI

**STIPULATED REQUEST FOR ORDER
CHANGING TIME**

Ctrm: 10, 19th Floor

Judge: Honorable Susan Illston

Presently pending before the Court is the parties' Joint Motion for Miscellaneous Administrative Relief Pursuant to LR 7-11 (Dkt. No. 340), in which plaintiff Bluestone Innovations LLC ("Bluestone") and defendants Nichia Corporation and Nichia America Corporation (collectively, "Nichia") had jointly approached the Court for purposes of resolving a dispute that existed between those parties as to the case schedule. Having now resolved their dispute, the parties hereby withdraw their Joint Motion in favor of the instant Stipulation. Accordingly, pursuant to Northern District of California Local Rule 6-2, Bluestone and Nichia hereby request that the Court enter the new deadlines and hearing dates set forth below. The requested deadlines and hearing dates align with those which the Court recently entered in Related Case No. 3:13-cv-01770-SI. (See Dkt. No. 126 in the referenced case).

Event¹	Previous Date Set in July 2, 2013 Civil Pretrial Minutes (Dkt. No. 331)	Proposed New Date Based on Patent Local Rules and Existing Case Schedule
Nichia to serve "Invalidity Contentions." (P.L.R. 3-3); Nichia to produce documents to accompany "Invalidity Contentions." (P.L.R. 3-4) (45 days from service of infringement contentions)	September 9, 2013	October 17, 2013
All parties to exchange proposed terms for construction. (P.L.R. 4-1) (14 days from service of invalidity contentions)	September 23, 2013	October 31, 2013
All parties to exchange preliminary claim constructions and extrinsic evidence. (P.L.R. 4-2) (35 days from service of invalidity contentions)	October 14, 2013	November 21, 2013
All parties to file Joint Claim Construction and Prehearing Statement. (P.L.R. 4-3) (60 days from service of invalidity contentions)	November 8, 2013	December 16, 2013
Further Case Management Conference	November 22, 2013 at 2:30 p.m.	January 17, 2014 at 2:30 p.m., or at a more convenient time for the Court
Complete claim construction discovery. (P.L.R. 4-4) (90 days from service of invalidity contentions)	December 9, 2013	January 15, 2014

¹ Case management conferences and hearings before this Court are listed in bold.

Event¹	Previous Date Set in July 2, 2013 Civil Pretrial Minutes (Dkt. No. 331)	Proposed New Date Based on Patent Local Rules and Existing Case Schedule
Deadline to amend pleadings or add parties. (145 days from service of infringement contentions)	December 18, 2013	January 24, 2014
Bluestone to file opening claim construction brief. (P.L.R. 4-5(a)) (60 days from service of the joint claim construction and prehearing statement)	January 7, 2014	February 14, 2014
Defendants to file responsive claim construction brief. (P.L.R. 4-5(b)) (45 days from service of the opening claim construction brief)	February 21, 2014	March 31, 2014
Bluestone to file reply claim construction brief. (P.L.R. 4-5(c)) (14 days from service of the responsive claim construction brief)	March 7, 2014	April 14, 2014
Tutorial	April 2, 2014 at 3:30 p.m.	May 7, 2014 at 3:30 p.m., or at a more convenient time for the Court
Markman	April 9, 2014 at 3:30 p.m.	May 14, 2014 at 3:30 p.m., or at a more convenient time for the Court
Further Case Management Conference	April 25, 2014 at 3:00 p.m.	May 30, 2014 at 3:30 p.m., or at a more convenient time for the Court

1 Dated: October 4, 2013

NIRO, HALLER, & NIRO

2 /s/ Robert A. Conley

3 By: _____
ROBERT A. CONLEY

4 **DAVIS WRIGHT TREMAINE LLP**
5 MARTIN L. FINEMAN (SBN 104413)
6 martinfineman@dwt.com
7 505 Montgomery Street
8 Suite 800
9 San Francisco, CA 94111
10 Telephone: 415-276-6575
11 Facsimile: 415-276-6599

12 **NIRO, HALLER & NIRO**
13 DEAN D. NIRO (Admitted *pro hac vice*)
14 dniro@nshn.com
15 DAVID J. MAHALEK (Admitted *pro hac vice*)
16 mahalek@nshn.com
17 ROBERT A. CONLEY (Admitted *pro hac vice*)
18 rconley@nshn.com
19 OLIVER D. YANG (Admitted *pro hac vice*)
20 oyang@nshn.com
21 181 West Madison, Suite 4600
22 Chicago, IL 60602-4515
23 Telephone: 312-236-0733
24 Facsimile: 312-236-3137

25 Attorneys for Plaintiff
26 BLUESTONE INNOVATIONS LLC
27
28

1 Dated: October 4, 2013

DURIE TANGRI LLP

2 /s/ Sonali D. Maitra

3 By: _____

SONALI D. MAITRA

4 **DURIE TANGRI LLP**

DARALYN J. DURIE (SBN 169825)

5 ddurie@durietangri.com

SONALI D. MAITRA (SBN 254896)

6 smaitra@durietangri.com

217 Leidesdorff Street

7 San Francisco, CA 94111

Telephone: 415-362-6666

8 Facsimile: 415-236-6300

9 **PAUL, WEISS, RIFKIND, WHARTON &
GARRISON LLP**

10 KENNETH A. GALLO (Admitted *pro hac vice*)

kgallo@paulweiss.com

11 DIANE C. GAYLOR (Admitted *pro hac vice*)

dgaylor@paulweiss.com

12 J. BRIAN HART, JR. (Admitted *pro hac vice*)

bhart@paulweiss.com

13 2001 K Street, NW

Washington, DC 20006-1047

14 Telephone: 202-223-7339

Facsimile: 202-204-7350

15 **PAUL, WEISS, RIFKIND, WHARTON &
GARRISON LLP**

16 CATHERINE NYARADY (Admitted *pro hac vice*)

17 cnyarady@paulweiss.com

18 BRIAN P. EGAN (Admitted *pro hac vice*)

began@paulweiss.com

1285 Avenue of the Americas

19 New York, NY 10019-6064

Telephone: 212-373-3000

20 Facsimile: 212-757-3990

21 Attorneys for Defendants and Counter-Claimants
22 NICHIA CORP. and NICHIA AMERICA CORP.

23 **FILER'S ATTESTATION**

24 Pursuant to Civil L.R. 5-1(i)(3), regarding signatures, I, Sonali D. Maitra, attest that concurrence
25 in the filing of this document has been obtained.

26 Dated: October 4, 2013


27 /s/ Sonali D. Maitra

28 SONALI D. MAITRA

1 **IT IS SO ORDERED.**

2 10/7/13

3 Dated: _____



The Honorable Susan Illston
United States District Judge

CERTIFICATE OF SERVICE

I certify that all counsel of record is being served on October 4, 2013 with a copy of this document via the Court's CM/ECF system at the email addresses below:

Dean D. Niro

Robert A Conley

David J. Mahalek

Oliver D. Yang

Niro Haller & Niro

181 W. Madison Street, Suite 4600

Chicago, IL 60602

312-236-0733

dniro@nshn.com

rconley@nshn.com

mahalek@nshn.com

oyang@nshn.com

John Michael Pickett

Young Pickett & Lee

4122 Texas Blvd.

Texarkana, TX 75504-1897

903-794-1303

Fax: 903-794-5098

jpickett@youngpickettllaw.com

William B Dyer , III

Finnegan Henderson Farabow Garrett & Dunner - Atlanta

303 Peachtree St, NE, Suite 3500

Atlanta, GA 30308

404-653-6400

Fax: 404-653-6444

bill.dyer@finnegan.com

/s/ Sonali D. Maitra

SONALI D. MAITRA